Supreme Court, U.S.
FILED

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IN THE
SUPREME COURT OF THE UNITED STATES

HERBERT W.G. CLANTON,

Petitioner,

-VS-

GREENWOOD TRUST CO.,

Respondent.

PETITION FOR WRIT OF CERTIORARI
from the
Michigan Court Of Appeals
PETITION FOR WRIT OF CERTIORARI

HERBERT W.G. CLANTON
IN PROPRIA PERSONA
P.O. Box 6654
East Lansing, MI 48826
Phone: NONE

Do illegal actions of the Michigan Court Of Claims whereas to unjustly assault Appellate Proceeding OF the 30TH Circuit Court/MCLA 600.531 et seq started in a timely and proper Appeals Of Right as mandated by MCR 7.101(B)(2) et seq and/or result in fraudulent orders of dismissal of Appellate Procedure beyond the judicial authority of the Michigan Court Of Claims et seq constitute violations of the First Amendment Of the United States Constitution et seq?

Do orders of the Michigan Court Of Appeals whereas to mandate that Michigan Rules Of Appellate Procedure(see MCR 7.203(B) shall supercedes and/or take precedent of Michigan Statute MCLA 600.6446(3)/MSA 27A.6446(3){ see Article I, Section 1 Michigan Constitution et seq }, receive all benefits and/or constitutional provision as provided by Article VI(2) of the united States Constitution et seq?

Are false judicial actions and/or illegal conducts of the Michigan Court Of Claims et seq whereas to fraudulently create Appellate Procedures in violations of the Fifth Amendment of the united States Constitution et seq?

Do erroneous judicial proceedings of the Michigan Court Of Claims whereas to fabricate judicial policies and/or court proceedings so that only the Michigan Court Of Claims to can partake of Appellate Review over Appeals Of Right from Michigan District Court as regulated and/or mandated by MCR 7.101(B)(2) et seq constitute violations of the Fourth Amendment of the united States Constitution et seq?

Are false judicial proceedings of the Michigan Court Of Claims whereas to fabricate judicial policies and/or court proceedings so that only the Michigan Court Of Claims to can partake of Appellate Review over Appeals Of Right from Michigan District Court as regulated and/or mandated by MCR 7.101(B)(2) et seq constitute violations of the Fifth Amendment of the united States Constitution et seq?

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PARTIES INVOLVED

A minimum of parties other than this Petitioner involved in this Petition For Certiorari Greenwood Trust et seq, Discover Bank et seq, the Respondent Legal Counsel, and/or parties not yet listed.

REASON FOR GRATING THE WRIT

I. THIS CASE INVOLVES CONDUCT OF A STATE COURT WHICH WHERE ADMINISTRATIVE POLICIES OF A MICHIGAN 54B DISTRICT COURT, THE MICHIGAN INGHAM COUNTY CIRCUIT COURT, THE MICHIGAN COURT OF CLAIMS, THE MICHIGAN COURT OF APPEALS, AND/OR THE MICHIGAN SUPREME COURT DO AT A MINIMUM CONFLICT AND VIOLATE BASIC FUNDAMENTAL FEDERAL CONSTITUTIONAL RIGHTS, AND CONDUCTS OF STATE APPELLATE COURT WHEREAS TO RENDER DECISION WHICH FAIL TO CORRECT AND CONFLICT WITH THE EQUAL PROTECTION CLAUSE OF THE CONSTITUTION AND THE DUE PROCESS CLAUSE OF THE CONSTITUTION.

CONCISE STATEMENT

Michigan Rules of Court cannot dismiss mandated as provided by Michigan Statute et seq.

CONCLUSION

The Michigan Court Of Claims is without any authority to interfere with timely and proper Appeal Of Right being started in accordance with MCR 7.101(B)(2), Whereupon all orders having been derived from said unauthorized illegal judicial actions and/or false judicial actions is at a minimum UNCONSTITUTIONAL.

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully moves for a Writ Of Certiorari to review case below from the Michigan Court Of Appeals.

DECISIONS BELOW

The Decision of the Michigan Supreme Court filed denying Petition For Reconsidering is contained in APPENDIX A enclosed.

The Decision of the Michigan Supreme Court filed denying Application For Leave To Appeal is contained in APPENDIX B enclosed.

The Decision of the Michigan Appeals Court filed denying Petition For Reconsidering is contained in APPENDIX C enclosed.

The Decision of the Michigan Appeals Court filed denying Appeal Of Right is contained in APPENDIX D enclosed.

CONSTITUTIONAL AND STATUTORY PROVISIONS AT ISSUE

The Federal Constitutional Provisions at issue in the matter are the Fourth Amendment United States Constitution, the Fifth Amendment of the United States Constitution, and the United States Constitution. The Fifth Amendment provides in part: "(N)or shall any State deprive any person of life, liberty, or property without due process of law; nor deny any person within the jurisdiction the equal protection of the law." The Seventh Amendment provides in part: "In Suits at common law, where the value in controversy shall exceeds twenty dollars, the right of trial by Jury shall be preserved." the Ninth Amendment provides " The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Also a minimum of Michigan Statute at issue are Article I, Section 2 Michigan Constitution, Article I, Section 13

Michigan Constitution, Article I, Section 17 Michigan Constitution.

STATEMENTS OF JURISDICTION

This Court has jurisdiction to review this petition with respect to this case pursuant to 28 U.S.C. 1257 et seq and/or the Supremacy Clause of the United States Constitution, Art. III, Art. IV.

STATEMENTS OF THE CASE

Michigan 54B District Court/MCLA 600.8125/MSA 27A.8125{ Judge Richard D. Ball et seq acting, see Article VI, Section 1 Michigan Constitution et seq } and/or State District Court Judge Richard D. Ball et seq, is at a completely without authority and/or just cause to use the Michigan 30TH Circuit Court/MCLA 600.531/ MSA 27A.531{ see Article VI, Section 1 Michigan Constitution et seq } as a means to draft orders whereas to allege to direct judicial proceedings of the 54B District Court/MCLA 600.8125/MSA 27A.8125{ see Article VI, Section 1 Michigan constitution et seq },

Erroneous Judicial Proceedings of the Michigan 30TH Circuit Court/MCLA 600.8125/MSA 27A.8125{ see Article VI, Section 1 Michigan Constitution et seq } do not constitute reasons to deny Herbert W.G. Clanton and/or this Petition all benefits and/or RIGHTS GUARANTEED by the Equal Protection Clause Of the Constitution{ see Article I, Section 2 Michigan Constitution et seq, see Forth Amendment United States Constitution et seq, and/or see Fourteenth Amendment United States Constitution et seq } and/or the Due Process Clause Of the Constitution{ see Article I, Section 17 Michigan Constitution et seq, see Fifth Amendment United States Constitution et seq, see Fourteenth Amendment United States Constitution et seq }.

The Respondent(Greenwood Trust Co., et seq) having full knowledge of fraudulent statements put forth by State District Court Richard D. Ball et seq seeks to allege that judgments and/or orders derived in furtherance thereof are in accordance with the Due Process Clause Of the Constitution et seq.

Where the Respondent(Greenwood Trust Co., et seq) is joined by Discover Bank et seq and do receive full support from Discover Bank et seq in furtherance of the erroneous judicial actions, the actions of Greenwood trust Co., et seq and/or Discover Bank et seq do at a minimum stand in violations of the Degrees of Protection(s) afforded Herbert W.G. Clanton and/or this Petitioner by 18 USCA 241 et seq, 18 USCA 242 et seq, the V Amendment United States Constitution et seq, and/or the Fourteenth Amendment United States Constitution et seq.

REASONS FOR GRANTING THE WRIT

The Michigan Department Of Justice et seq in direct violations of the Equal Protection Clause OF the Constitution et seq and/or the Due Process Clause Of the Constitution et seq through it's court's and/or agents have chosen to enact untitled judicial endeavor and/or unregistered judicial conducts by the Michigan Court Of Claims et seq designed to eliminate benefits and/or degrees of Protection as guaranteed by the United States Constitution.

The illegal actions of the Michigan Court Of Claims et seq whereas to establish as a matter of court judicial policy and/or practice that parties to proceedings are not to be given any consideration before the court takes on issues under Appellate Review, that parties to proceedings not to be given any degrees of recognition in regard to subject matters before the court, and/or that

parties to proceedings are free to put forth any Redress Of Grievance et seq pursuant to violations of benefits afforded by the United States Constitution et seq, Degrees Of Protection provided by the United States Constitution et seq, and/or Rights Guaranteed by the United States Constitution et seq.

The unjust failures of the Michigan Court Of Claims et seq, Judge Carolyn Stell et seq, the Michigan Court Of Appeals{ see Article VI, Section 1 Michigan Constitution et seq }, and/or the Michigan Court Of Justice{ see Article VI, Section 1 Michigan Constitution et seq } to make known as a matter of record the means by which Herbert W.G. Clanton et seq and/or this Petitioner et seq petition for appeals from judgment and/or orders of the 54B District Court/MCLA 600.8125/MSA 27A.8125 et seq having been put forth to the 30TH Circuit Court /MSA 600.531/MSA 27A.531{ see Article VI, Section 1 Constitution et seq } pursuant to Michigan Rules Of Appellate Procedure in accordance with Appeals Of Right{ see MCR 7.101(B)(2){ see Article I, Section 3 Michigan Constitution et seq and/or see First Amendment United States Constitution et seq } are subject matter for Appellate review by the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq } do at a minimum constitute violations of the Equal Protection Clause Of the Constitution{ see Article I, Section 2 Michigan Constitution et seq, see Forth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }, and/or the Due Process Clause Of the Constitution{ see Article I, Section 17 Michigan Constitution et seq, see Fifth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }.

In recognition of the fact that the Michigan Rules Of Appellate Procedure do not provide any means by which the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq } to review Appeals from judgments, decisions, and/or orders of the 54B District Court/MCLA 600.8125/MSA 27A.8125{ see Article VI, Section 1 Michigan Constitution et seq } it is at a minimum mandatory to find that the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq }, and/or Judge Carolyn Stell et seq did with full knowledge assault the Appellate Process whereas to at a minimum unjustly deny Herbert W.G. Clanton et seq and/or this Petitioner et seq the opportunity to make any Redress Of Grievance to the Michigan Court Of Appeals et seq, the Michigan Supreme Court et seq, and/or the United States Supreme Court et seq pursuant to the defending, protecting, and/or upholding of any and all of Herbert W.G. Clanton et seq and/or this Petitioner et seq benefits and/or RIGHTS GUARANTEED by the Equal Protection Clause Of the Constitution{ see Article I, Section 2 Michigan Constitution et seq, see Forth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }, and/or the Due Process Clause Of the Constitution{ see Article I, Section 17 Michigan Constitution et seq, see Fifth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }.

The fact that the Michigan Court Of Claims et seq, and/or Judge Carolyn Stell et seq are fully aware of the fact that neither this Petitioner et seq and/or the Respondent et seq are agents of the State Of Michigan at a minimum defined where the Michigan Court Of Claims et seq, and/or Judge Carolyn Stell et seq are without any justification to allege any reason to conduct any judicial proceeding in regarding Herbert W.G.

Clanton et seq, this Petitioner et seq, Greenwood Trust Co., et seq, and/or the Respondent.

MICHIGAN SUPREME COURT REASONING

The Michigan Supreme Court orders by direct and/or indirect finding do provide for upholding the ambiguous false judicial orders of the of the Michigan Court Of Claims and/or the unjust failures of the Michigan Court Of Appeals to correct false judicial actions of the Michigan Court Of Claims et seq whereas to present itself as a court of Appellate Review and/or the unjust failure of the Michigan Ingham County Circuit Court to preside over timely and proper petition for Appeals Of Right{ see MCR 7.101(B)(2)[see Article I, Section 13 Michigan Constitution et seq]} in such a manner whereas to be in complete and total compliance with the Equal Protection Clause of the Michigan Constitution{ see Article I, Section 2 Michigan Constitution et seq, see Fourth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }, and/or the Due Process Clause Of the Constitution{ see Article I, Section 17 Michigan Constitution et seq, see Fifth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }.

COURT OF APPEALS REASONING

The Michigan Court Of Appeals et seq argues that the right of Herbert W.G. Clanton and/or this Petitioner to make petition for Appellate Review from judgments and/or orders of the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq } pursuant to Appeals of Right as mandated by state law is not allowed because the Court Of Appeals et seq states that Herbert W.G. Clanton and/or this Petitioner et seq is limited to be viewed as appeals from orders of the 54B District Court/MCLA 600.8125/MSA 27A.8125{ see

Article VI, Section 1 Michigan Constitution et seq } and the Michigan Court Of Appeals et seq is limited to Appellate Review only by Application For Leave To Appeals et seq.

COURT OF CLAIMS REASONING

The ambiguous arguments and/or misleading reasonings of the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq }, and/or Judge Carolyn Stell et seq whereas to allege fraudulent allege justifications for the unjust dismissal of petition for Appellate Review from judgment and orders of the 54B district Court/MCLA 600.8125/ MSA 27A.8125{ see Article VI, Section 1 Michigan Constitution et seq }, having been timely and properly commence in the 30TH Circuit Court/MCLA 600.531/MSA 27A.531{ see Article VI, Section 1 Michigan constitution et seq }, pursuant to Michigan Rules Of Appellate Procedure for Appeals Of Rights{ MCR 7.101(B)(2)(see Article I, Section 2 Michigan Constitution et seq, see Article I, Section 13 Michigan Constitution et seq, see Article I, Section 17 Michigan Constitution et seq, see First Amendment United States Constitution et seq, see Fifth Amendment united States Constitution et seq, and/or see Fourteenth Amendment united States Constitution et seq }, is due to unexplained claims of allege failures of Herbert W.G. Clanton and/or this Petitioner to put forth plain and simple statements.

SUMMARY

Where it is the understanding of Herbert W.G. Clanton and/or this Petitioner et seq that the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq }, is not incapable of making errors, it is then at a minimum appropriate for Herbert W.G. Clanton et seq and/or this Petitioner to seek Redress Of Complaint by means of Michigan Statue wherein accordance with the

Equal Protection Clause Of the Constitution{ see Article I, Section 2 Michigan Constitution et seq and/or Fourteenth Amendment United States Constitution et seq }, and/or the Due Process Clause Of the Constitution{ see Article I, Section 17 Michigan Constitution et seq and/or Fourteenth Amendment United States Constitution et seq }.

CONCLUDING

The judgment and/or orders of the Michigan Court Of Claims{ see Article VI, Section 1 Michigan Constitution et seq } are at a minimum misleading and fraudulent where neither Michigan Rules Of Appellate Procedure et seq nor Michigan Statute et seq nor the Michigan Constitution et seq do not do not provide for or allow the Michigan court Of Claims et seq/et al to review Appeals from judgments and/or orders of the 54B District Court/MCLA 600.8125 /MSA 27A.8125 et seq wherein regard to civil proceedings regarding matters not relevant to State Agencies.

Orders of the Michigan Court Of Appeals et seq whereas to provide that Michigan Court Rules et seq do take precedent over Michigan Statute{ see Article I, Section 1 Michigan Constitution et seq } are at a minimum false, do violate provisions of balance of power, are at a minimum unconstitutional, and/or do constitute violations of the United States Constitution et seq.

PETITION TO RELAX RULES

The person of Herbert W.G. Clanton and/or this Petitioner do request that there be a relaxation of the rules whereas to aide in the allowing of the Petition For Writ Of Certiorari.

REQUEST FOR ASSISTANCE OF COUNSEL

Where the person of Herbert W.G. Clanton and/or this Petitioner is not a attorney and having limited resources do request that legal counsel be assigned with complete wavier of fees and/or cost.

FILING EXTENSION PETITION

Petitioner moves for an extension to allow for a minimum of corrections whereas to comply with Rules Of the Supreme Court et seq and/or mandate's of the United States Supreme Court.

APPENDIX A

STATE OF MICHIGAN
MICHIGAN SUPREME COURT

GREENWOOD TRUST CO.,,
Plaintiffs-Appellees,

SC:118909
COA:231087

-v-

HERBERT W.G. CLANTON,
Defendant-Appellant.

ORDER

On order of the Court, the motion for reconsideration of this Court order's of July 30, 2001 is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

S/CARBON R. DAVIS

APPENDIX B

STATE OF MICHIGAN
MICHIGAN SUPREME COURT

GREENWOOD TRUST CO.,,
Plaintiffs-Appellees,

SC:118909
COA:231087

-v-

HERBERT W.G. CLANTON,
Defendant-Appellant.

ORDER

On order of the Court, the application for leave to appeal from March 3, 1999 decision of the Court Of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by the Court.

S/CARBON R. DAVIS

APPENDIX C

STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

GREENWOOD TRUST CO.,,

-v-

COA:231087
LC No. 99-090749

HERBERT W.G. CLANTON.,

Kathleen Janse
Presiding Judge
William B. Murphy
Mark J. Cavanagh
Judges

ORDER

The Court orders that the motion for rehearing is DENIED.

s/ Sandra Mengel(Chief Clerk)

APPENDIX D

STATE OF MICHIGAN
MICHIGAN COURT OF APPEALS

GREENWOOD TRUST CO.,,

COA:231087

-v-

HERBERT W.G. CLANTON.,

ORDER

Richard A. Bandstra, Chief Judge, acting under MCR 7.203(F)(1) and MCR 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the November 7, 2000 order, which stems from an appeal to a circuit court from a district court, is not an order that is appealable as a matter of right. MCR 7.203(A)(1)(a). As a result, the order in question is appealable to this court only on leave granted under MCR 7.205. See MCR 7.203(B)(2).

S/CARL L. GROMEK

APPENDIX D

STATE OF MICHIGAN
MICHIGAN COURT OF CLAIMS

GREENWOOD TRUST CO.,,
Plaintiff-Appellee,

-v-

Court Of Claims:
Docket No:99-90749-AV

HERBERT W.G. CLANTON,
Defendant-Appellant.

OPINION

Appellant Herbert W.G. Clanton, acting in pro per, has filed this appeal from the District Court's Decision; three of which were dismissed as vexatious. Appellant has filed a Motion of Summary Disposition regarding this appeal. Pursuant to MCR 2.119(E)(3) the Court exercises her discretion and dispenses with oral argument.

Appellant has undertaken this and other appeals soley for the purpose of hindrances and delay. Appellant's filings are grossly lacking in the requirements of propriety, violate court rules, and grossly disregard the requirements for a fair presentation of issues before the Court. Appellant has, on numerous occasions, filed to notice Appellee of hearing held on this matter. In addition, Appellant's filings present no facts upon which a cognizable claim may be made.

Consequently, this Court shall dismiss Appellant's action pursuant to MCR 7.101(P)(1). This Court awards Appellee reasonable attorneys fees and cost.

For the reasons stated in this opinion, IT IS ORDERED that Appellant's actions is DISMISSED WITH PREJUDICE.

Date: November 7, 2000 s/Carolyn Stell

ACKNOWLEDGMENT OF PROOF OF SERVICE

The document and statements which list that copies of the Writ For Certiorari have been put forth to the Respondent by sending 3 copies to Greenwood Trust Company et seq at the address of 12 Reads Way, New Castle, DE with zip code 19720 by means of United States Postal Certified Mail Article Number:7000 1530 0005 4066 9059 is believed to comply with policies for proof of service as mandated by the United States Supreme Court.

RESPECTFULLY SUBMITTED
RESPECTFULLY DRAFTED

HERBERT W.G. CLANTON
P.O. Box 6654
East Lansing, MI 48826
Phone:NONE

Date: 3, 26, 2002

"I, declare the foregoing and above is true to the best of my beliefs' information, and/or knowledge(s)."